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10/599,071	09/19/2006	Hidetoshi Ito	3712174.00608	3798
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K&L Gates LLP P. O. BOX 1135 CHICAGO, IL 60690			EXAMINER LACLAIR, DARCY D	
			ART UNIT	PAPER NUMBER
			1796	
			NOTIFICATION DATE	DELIVERY MODE
			01/14/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

chicago.patents@klgates.com

Attachment to Advisory Action

1. Applicants' amendment filed **12/29/2009** has not been entered given that it introduces the issue of new matter and raises other new issues that would require further consideration and/or search.

With respect to the issue of new matter, **Claims 19, 20, 23 and 24** have been amended to recite the ***dry*** volume ratio of water-insoluble polymer to monomer having a stimuli-responsive functional group. It is the examiner's position that this is new matter; the specification as originally filed does not support the newly amended term of a dry ratio, and there is no mention of the use of dry ratio on page 10, par 2, where the volume ratio of these two components is discussed. Additionally, the examples give a dry volume for the PMMA polymer, but do not give a volume, dry or otherwise second polymer. (See Example 1, p. 12 par 7, *inter alia*)

With respect to other new issues, the claims have been amended to recite a dry ratio. It is the examiner's position that this is a new issue since the limitations of the claim have changed, specifying the condition of the polymers when the volume ratio between the polymers is calculated. Therefore, the amendment would require further consideration in order to determine whether the cited prior art does or does not comply with the amended limitations.

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2. As the amendment is not being entered, those of applicant's arguments with regard to overcoming the prior art rejections will not be addressed in this communication.

/D. D. L./
Examiner, Art Unit 1796

/Milton I. Cano/
Supervisory Patent Examiner, Art Unit 1796